

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CA-5740	FOR FURTHER ACTION <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. PCT/US 99/ 08455	International filing date (day/month/year) 16/04/1999	(Earliest) Priority Date (day/month/year) 13/08/1998
Applicant ALSIUS, INC. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☒ **Unity of invention is lacking** (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 4

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61M A61F A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 269 758 A (TAHERI) 14 December 1993 (1993-12-14) abstract; figures 1-3 ---	1-19, 28-39, 52-55, 61-63
A <i>US</i>	EP 0 853 951 A (ELECTROMEDICS, INC.) 22 July 1998 (1998-07-22) abstract; figures 1-6 ---	1-13,28, 35-39, 52-55, 61-63
A	US 5 624 392 A (SAAB) 29 April 1997 (1997-04-29) cited in the application abstract; figures 1,3-7 --- -/--	1,14-19, 28,35,52

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

2 August 1999

Date of mailing of the international search report

15. 11. 1999

Name and mailing address of the ISA

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Authorized officer

Michels, N

Category	Citation of document, with indication, appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 524 662 A (TERUMO CORP.) 27 January 1993 (1993-01-27) abstract; figures 1-5 ---	1-19, 28-39, 52-55, 61-63
A Us	WO 98 26831 A (RADIANT MEDICAL) 25 June 1998 (1998-06-25) abstract; figures 1-4 ---	1,28,35, 52
A	WO 91 05528 A (GRANULAB B.V.) 2 May 1991 (1991-05-02) ---	
A	US 5 037 383 A (VASLEV ET AL.) 6 August 1991 (1991-08-06) -----	

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 20-27, 40, 41, 56-60
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT-Method for treatment of the human or animal body by therapy
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

- 1.- Claims 1-19, 28-39, 52-55, 61-63:
A vascular heat exchange catheter and method of manufacture
 - 2.- Claims 42-51:
A vascular catheter with a snare
1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
 2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
 3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
 4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-19, 28-39, 52-55, 61-63

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

US 5269758 A 14-12-1993 NONE

US EP 0853951 A 22-07-1998

US	5501663	A	26-03-1996
DE	69414036	D	26-11-1998
DE	69414036	T	15-04-1999
DE	853951	T	25-02-1999
EP	0631790	A	04-01-1995
JP	7088178	A	04-04-1995

US 5624392 A 29-04-1997

US	5342301	A	30-08-1994
US	5411477	A	02-05-1995
US	5902268	A	11-05-1999
US	5569195	A	29-10-1996
AU	7773891	A	10-12-1991
CA	2082805	A	12-11-1991
EP	0527969	A	24-02-1995
WO	9117788	A	28-11-1991

EP 0524662 A 27-01-1993

JP	1029268	A	31-01-1989
JP	1890622	C	07-12-1994
JP	6011329	B	16-02-1994
AU	607778	B	14-03-1991
EP	0297970	A	04-01-1989
US	5294397	A	15-03-1994
JP	1076870	A	22-03-1989
JP	1890632	C	07-12-1994
JP	6013049	B	23-02-1994

US WO 9826831 A 25-06-1998 AU 5901398 A 15-07-1998

WO 9105528 A 02-05-1991 NONE

US 5037383 A 06-08-1991 NONE